

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROVER PIPELINE LLC,

Plaintiff,

v.

17cv0170

ELECTRONICALLY FILED

ROVER TRACT NO. PA-WA-HL-004.500T  
*COMPRISED OF PERMANENT EASEMENT(S)  
TOTALING 0.9 ACRES, MORE OR LESS, AND  
TEMPORARY EASEMENT(S) TOTALING 1.33 ACRES,  
MORE OR LESS, OVER A PARCEL OF LAND IN  
HANOVER TOWNSHIP, WASHINGTON COUNTY,  
PENNSYLVANIA, TOTALING 49.571 ACRES, MORE  
OR LESS,*

JAMES M. BUCHANAN AND DIANE ZACK  
BUCHANAN FARM #4 LP

ET AL.,

Defendants.

**ORDER OF COURT**

AND NOW, this 3<sup>rd</sup> day of August, 2018, after careful review of the Second Interim Status Report ([doc. no. 101](#)) prepared by the three Commissioners in this condemnation case who were appointed by this Court in accordance with Fed.R.Civ.P. 71.1, the Court hereby ORDERS as follows:

1. A NONSUIT is entered against Old Wilson Farm Land Trust, who, through its counsel and Trustee, Lawrence E. Bolind, Jr., received notice of the hearings before the Court-appointed Commissioners, to attend the condemnation action set for May 22 and 23, 2018, but failed to appear or present any evidence.

2. A JUDGMENT is entered in favor of Rover Pipeline, LLC as to Old Wilson Farm Land Trust with damages set at \$5,564.00. However, it is FURTHER ORDERED that no money is due to be paid by Rover Pipeline to Old Wilson Farm Land Trust because the Panel has indicated that Rover Pipeline previously paid Old Wilson Farm Land Trust \$125,000.00 in conjunction with this condemnation and obtained Permission for Immediate Access to the property.

3. It is FURTHER ORDERED that the Court's Order of September 1, 2017 ([doc. no. 96](#)), is amended to reflect that effective July 1, 2018, the fees and costs of the Commissioners are to be paid fifty percent (50%) by Rover Pipeline, LLC and fifty percent (50%) by the Buchanan Defendants.

4. It is ALSO ORDERED that the following fees and costs owed to the Commissioners, as of June 30, 2018, by Old Wilson Farm Land Trust be paid by September 3, 2018 or suffer further action of the Court:

Andrea Geraghty, Esquire: \$4,700.00

LuAnn Datesh, Esquire: \$4,600.00

Thomas T. Frampton, Esquire: \$5,527.74

**SO ORDERED, this 2<sup>nd</sup> day of August, 2018**

s/ Arthur J. Schwab  
Arthur J. Schwab  
United States District Court Judge

cc: All ECF registered counsel  
Andrea Geraghty, Esquire  
LuAnn Datesh, Esquire  
Thomas T. Frampton, Esquire